

What to Bring When Meeting with Your Lawyer



- **List of questions** or issues.
- **Your notes** about the case since you last spoke with your lawyer (these may cover progress in finding housing, contact with your children, attendance at agency meetings and treatment sessions, and other case activities).
- **Case documents** you have received since you last met with your attorney (e.g., parenting class certificate, letter from caseworker, etc.)
- **Calendar** to confirm upcoming meetings and court hearings.

What to Expect from Your Lawyer

As your advocate, your lawyer should:

- **Work quickly to protect your rights:** These cases have tight timelines. Within a year, the judge will ask where your child should live permanently and if he or she should remain with family or be adopted. You and your lawyer will have to work quickly to ensure you keep your rights to and maintain a relationship with your child.
- **Help you achieve your goals:** If you are seeking custody of your child, you will have to assure the caseworker and court that you can take on this responsibility. You need to have a good relationship with your lawyer to achieve your goals.
- **Provide effective legal representation:** Your lawyer needs to know what is happening in your case so he or she can advocate for what you want. During this process, you should expect your lawyer will:
 - respond to your calls and requests for assistance and information within a reasonable amount of time;
 - be on time and prepared for every court hearing;
 - promptly file all documents and motions in support of your position;
 - be available to advocate for your positions in out-of-court meetings (see *Guide 4, Your Role Outside Court*);
 - make arguments and statements in court that support what you want.

If your lawyer is not meeting your expectations, discuss your concerns with him or her. If your concerns are not resolved, consider asking your lawyer to withdraw so the court can appoint you a new lawyer.



Finding Your Way

Guides for Fathers in Child Protection Cases

Guide 2 How to Work with Your Lawyer

About the guides

This is one in a series of guides that give you tips to help you and your child throughout the court case. The guides include:

Guide 1: Your rights and responsibilities

Guide 2: How to work with your lawyer

Guide 3: Your role in court

3.1: The court process

3.2: Who will be in court

3.3: Common court terms

Guide 4: Your role outside court

Guide 5: When you owe child support

Guide 6: If you are or have been in prison

Keep these guides in a safe place. Review them before you attend a court hearing or meeting. Check the guides to see which one(s) will help you as you prepare for that court date or meeting.

This guide provides general information, not legal advice. If you have case-specific or legal questions, ask your lawyer or caseworker.



How to Work with Your Lawyer

You're a dad who does not live with your child. You learn your child is involved in a court case because of suspected abuse or neglect. Even if you weren't your child's caretaker, or don't see your child often, there are many things you and your relatives can do in court to help keep your child safe and ensure he or she is reunited with family quickly.

A good relationship with your lawyer is key to helping your child through this process and protecting your rights to your child.

When you will need this guide

- ✓ Use it to **create a good relationship with your lawyer and to know what to expect during the court case.**
- ✓ Review this guide before you meet with your lawyer.

If you don't have a lawyer

Ask the court for one (some courts may provide one if you can't afford it).

If you can't get a lawyer (because you can't afford it or the court won't appoint one):

- tell the judge in court about your concerns;
- tell the caseworker about your concerns; and
- contact your local legal aid office to ask whether you can hire a low-cost or free lawyer, depending on your income.

How to Work with Your Lawyer

- **Be honest:** Your lawyer cannot tell *anyone* what you share with him or her unless you agree. Don't be afraid to be open and honest with your lawyer. Tell your lawyer everything that happened in your case, good and bad. This helps your lawyer give you the right advice and make the best case for you.
- **Be prepared:** Take notes on the events that brought your child into the system and what happens during your case. Share them with your lawyer so he or she knows what is happening and can advocate for you. Each time before you meet with your lawyer, write down questions or issues you want to discuss. This helps your lawyer understand what is going on and what you want. Your lawyer is busy, so writing things down before you meet ensures you cover everything.
- **Tell your lawyer what you want:** Your lawyer's job is to help you get what you want from the court and agency. This can include:
 - who you want your child to live with;
 - how often you want to visit your child;
 - what help your child needs.

Think about what you want for you and your child. Share these goals with your lawyer. Your lawyer will ask about your goals and tell you how to achieve them. She or he will also tell you whether your goals can be met and, if not, what else you should try.
- **Ask questions:** Ask your lawyer if you don't understand something. The court and child welfare systems can be confusing. It is important that you understand these systems so you can get the result you want for you and your child.
- **Discuss options:** Your lawyer will analyze the law and the information you provide to give you legal advice on what you should do in your case. Listen carefully and decide if you want to follow this advice. Your lawyer has your best interests in mind, but if you don't agree with his or her advice, tell your lawyer why, so you can talk about your options.
- **Keep in touch:**
 - Write down your lawyer's name, phone number, and address.
 - Contact your lawyer when there are new developments in your case, or when you have questions or concerns.
 - Try to meet with your lawyer before each court hearing to update him or her on your case, your case plan progress, and what you want to happen during the court hearing.
 - Share documents you have received from other parties since your last meeting.
 - Make sure your lawyer has your contact information (address, cell phone, e-mail address), and let him or her know of any changes.
- **Keep your own file and share key documents:** Keep copies of *all* papers you get from anyone involved in your case. These include:
 - court orders,
 - papers from your lawyer, and
 - documents from the agency or service providers (e.g., substance abuse program, parenting class, or job training program).

Get a written record of your progress in classes or programs and share it with your lawyer.

